IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 13161 of 2006

Dated 18th December, 2006.

Between
U.Krishna Murthy

…Petitioner

and

The Presidkent, Pidugaralla PACS,
Amma Complex, Main Road, Pidugaralla,
Guntur District and ors.

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO :13161 of 2006:

ORDER:

The petitioner, who was working as Secretary in the Piduguralla Primary Agricultural Cooperative Society, has filed this Writ Petition questioning the order of suspension dated 03-06-2006, pending enquiry. In the impugned order, it is alleged that the petitioner had misappropriated certain amounts of the society and members.

It is submitted by the learned Counsel appearing for the petitioner that no enquiry is conducted before passing impugned order.

In the counter filed on behalf of respondents 2 and 5, it is stated that the petitioner had misappropriated certain amounts by way of tampering withdrawal slips for Rs.20,000/- from S.B. Account No.17 relating to one of the Members, by name, Sri Y.V.Subba Rao. It is also stated that separate proceedings are initiated under Section 60 of the A.P. Cooperative Societies Act, 1964 against the former president, by name, Sri N.Nageswara Rao and the petitioner for recovery of an amount of Rs.17,58,590/-

The impugned order came to be passed taking into account prima

facie case against the petitioner, and, as per the enquiry report prepared under Section 51 of the A.P. Cooperative Societies Act, 1964. As much as impugned order is one of suspension pending enquiry, no detailed enquiry need be conducted before passing impugned order. As no other ground is urged, I do not find any merit in this Writ Petition, which warrants interference at this stage.

The Writ Petition is devoid of merits and is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 18-12-2006.
Msnr.